

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
FAYETTEVILLE DIVISION

BOBBY WAYNE SAVAGE

PLAINTIFF

v.

Civil No. 05-5037

SHERIFF KEITH FERGUSON; and  
OFFICER SCOTT TURNER

DEFENDANTS

O R D E R

Now on this 29th day of June, 2006, comes on for consideration the **Magistrate Judge's Report and Recommendation** (document #42), in this matter, to which no objections have been filed, and the Court, having carefully reviewed said Report and Recommendation, finds that it is sound in all respects, and that it should be adopted *in toto*.

**IT IS THEREFORE ORDERED** that the **Magistrate Judge's Report and Recommendation is adopted in toto**.

**IT IS FURTHER ORDERED** that, for the reasons stated in the Magistrate Judge's Report and Recommendation, the defendants' Motion for Summary Judgment is hereby **granted in part and denied in part**. It is granted as to the claims against Sheriff Keith Ferguson and he is dismissed from this lawsuit; the Motion for Summary Judgment is denied as to the claims against Officer Scott Turner.

**IT IS FURTHER ORDERED** that this matter is remanded to the Magistrate Judge for further handling.

**IT IS SO ORDERED.**

/s/Jimm Larry Hendren  
HON. JIMM LARRY HENDREN  
UNITED STATES DISTRICT JUDGE